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8 Attorneys for Plaintiff LTTB LLC

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11  
12 LTTB LLC, a California limited liability  
13 company,

14 Plaintiff,

15 v.

16 REDBUBBLE, INC., a Delaware corporation,

17 Defendant.

Case No.: 3:18-cv-509

**COMPLAINT FOR TRADEMARK  
COUNTERFEITING, TRADEMARK  
INFRINGEMENT, UNFAIR  
COMPETITION AND FALSE  
DESIGNATION OF ORIGIN, AND  
CONTRIBUTORY TRADEMARK  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

1 Plaintiff LTTB LLC (“LTTB”) by and for its complaint against Defendant Redbubble, Inc.  
2 (“Redbubble”) alleges as follows:

3 INTRODUCTION

4 1. LTTB founder Elektra Printz Gorski (“Gorski”) is an artist, entrepreneur, and  
5 designer who has been designing, manufacturing, and selling apparel and other goods under the  
6 LETTUCE TURNIP THE BEET trademark and various copyrighted designs since 2011. LTTB’s  
7 products and trademark have tremendous popularity on Etsy, Pinterest, Instagram, Tumblr,  
8 Facebook and other social media and ecommerce websites. LTTB owns multiple United States  
9 Federal Trademark Registrations for the mark LETTUCE TURNIP THE BEET. LTTB and its  
10 founder and predecessor in interest have been the exclusive authorized seller of goods bearing the  
11 LETTUCE TURNIP THE BEET mark since 2011.

12 2. Since May 2013, LTTB’s founder and predecessor in interest Gorski, as well as her  
13 counsel, have sent multiple cease and desist communications to Redbubble demanding that it  
14 remove from its website goods for sale which infringe the LETTUCE TURNIP THE BEET mark.  
15 Redbubble has responded by representing that it has taken steps to police use of LTTB’s mark on  
16 its website. Despite this claim, Redbubble continues to market, manufacture and distribute  
17 multiple infringing goods. Thus, Redbubble’s production and sales of apparel and goods bearing  
18 counterfeit uses of the LETTUCE TURNIP THE BEET mark is intentional and is causing  
19 irreparable harm to LTTB.

20 NATURE OF THE CASE

21 3. This is an action for (a) trademark counterfeiting in violation of Section 32(1) of  
22 the Lanham Act, 15 U.S.C. section 1114(1); (b) infringement of a registered trademark in  
23 violation of Section 32(1) of the Lanham Act, 15 U.S.C. section 1114; and (c) unfair competition  
24 in violation of Section 43(a) of the Lanham Act, 15 U.S.C. section 1125(a).

25 THE PARTIES

26 4. Plaintiff LTTB is a limited liability company organized under the laws of the state  
27 of California with its address at 237 Kearny Street #9040, San Francisco, California.  
28

5. Upon information and belief, Defendant Redbubble is a corporation organized under the laws of the state of Delaware with its principal place of business at 633 Howard Street, San Francisco, California.

#### JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. section 1121 and 28 U.S.C. sections 1331 and 1338. Venue is proper within this district under the provisions of 28 U.S.C. section 1391 because Redbubble has its principal place of business in this judicial district.

7. Personal jurisdiction over Redbubble is proper in this district because has its principal place of business in this district and has committed infringing acts in this district.

#### INTRA-DISTRICT ASSIGNMENT

8. This action is an intellectual property action within the meaning of Local Rule 3-2(c) and therefore is not subject to intra-district venue provisions.

#### LTTB'S TRADEMARK RIGHTS

9. Gorski, the LTTB founder and predecessor in interest, graduated from the Fashion Institute of Technology ("FIT") in New York in 2007, winning the famed Critic's Award as one of the most promising designers in her class. She has taken advanced silkscreen classes at FIT and the School of Visual Arts (SVA) from 2006 to 2013. She is a designer and artist who is widely considered a master printer among her industry peers who have printed for Andy Warhol and Robert Rauschenberg and is now a Critic for FIT. Gorski is also a former Peace Corps business volunteer to rural West Africa prior to winning a Rotary World Peace Fellowship to complete her graduate degree in Japan under the Rotary Foundation. In 2011, she created the LETTUCE TURNIP THE BEET mark and her first apparel and product designs using the mark as both a source identifier and as a graphic design element.

10. The LETTUCE TURNIP THE BEET mark is the subject of four trademark registrations issued by the United States Patent and Trademark Office (the "USPTO").

11. On March 5, 2013, the USPTO issued Registration Number 4,297,108 for the mark

1 LETTUCE TURNIP THE BEET for the following goods and services: “Paper for wrapping and  
2 packaging”; “tote bags”; and “Wearable garments and clothing, namely, shirts.” LTTB is the  
3 owner of Registration No. 4,297,108. A true and correct copy of a printout from the USPTO  
4 online database reflecting this registration is attached as Exhibit A.

5 12. On December 24, 2013, the USPTO issued Registration Number 4,454,801 for the  
6 mark LETTUCE TURNIP THE BEET for the following goods and services: “On-line retail store  
7 services featuring clothing, accessories and art.” LTTB is the owner of Registration No.  
8 4,454,801. A true and correct copy of a printout from the USPTO online database reflecting this  
9 registration is attached as Exhibit B.

10 13. On October 18, 2016, the USPTO issued Registration Number 5,064,226 for the  
11 word mark LETTUCE TURNIP THE BEET and the stylized text

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The image shows the stylized text logo for 'LETTUCE TURNIP THE BEET'. The words are stacked vertically in a bold, sans-serif font. 'LETTUCE' is on the top line, 'TURNIP' is on the second line, and 'THE BEET' is on the third line. The letters are black and have a slightly irregular, hand-drawn appearance.

19 for the following goods and services: “Tote bags”; and “Aprons; Headwear; Infant wear; Shirts for  
20 infants, babies, toddlers and children; Wearable garments and clothing, namely, shirts.” LTTB is  
21 the owner of Registration No. 5,064,226. A true and correct copy of a printout from the USPTO  
22 online database reflecting this registration is attached as Exhibit C.

14. On October 18, 2016, the USPTO issued Registration Number 5,064,227 for the



word mark LETTUCE TURNIP THE BEET and the stylized text

for the following goods and services: “Tote bags”; and “Aprons; Headwear; Infant wear; Shirts for infants, babies, toddlers and children; Wearable garments and clothing, namely, shirts.” LTTB is the owner of Registration No. 5,064,227. A true and correct copy of a printout from the USPTO online database reflecting this registration is attached as Exhibit D.

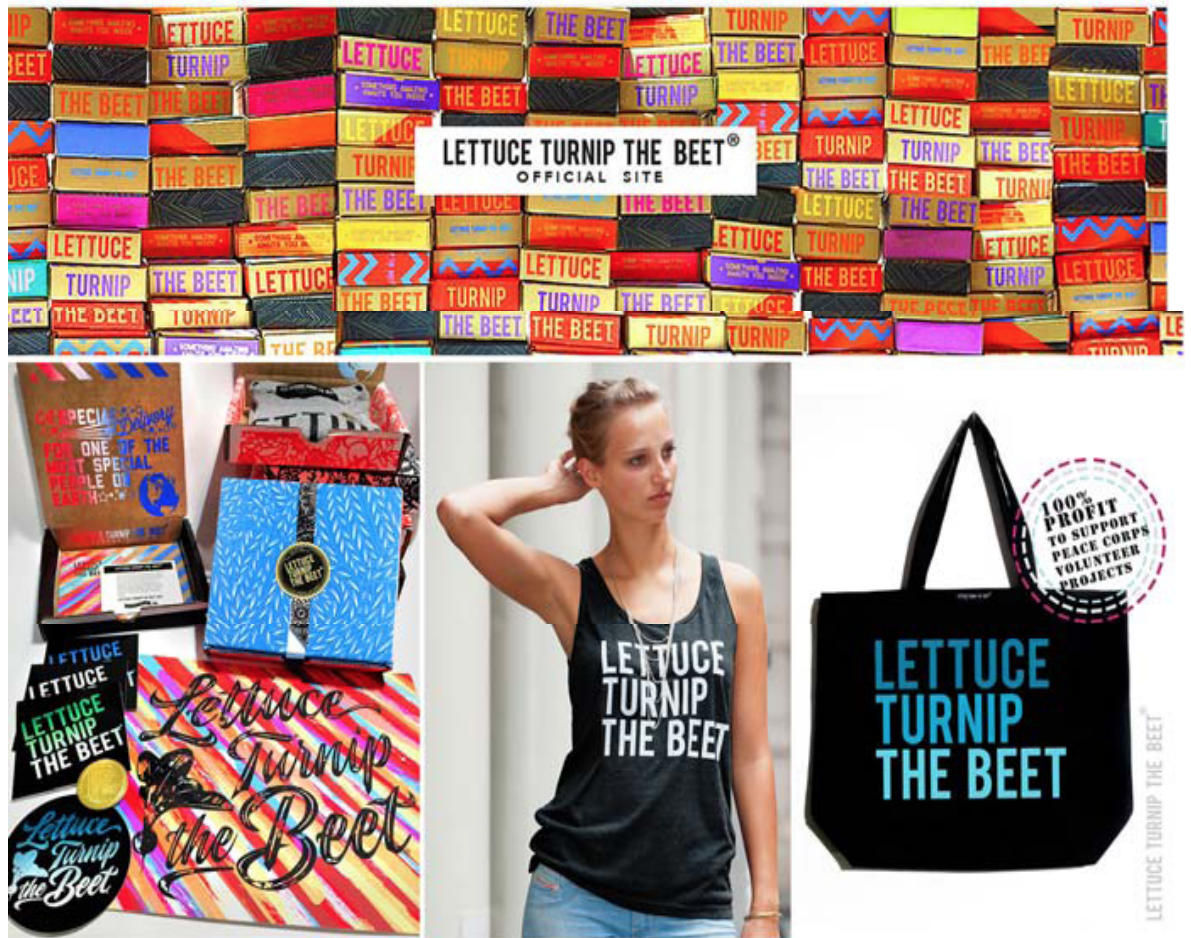
15. The marks reflected in these four registrations are referred to herein collectively as the “LETTUCE TURNIP THE BEET Mark.”

16. LTTB's goods and services sold under the LETTUCE TURNIP THE BEET Mark have been offered in commerce since 2011, and these goods and services are well and favorably known by the purchasing public, including many top celebrities.

17. When used together, the individual words of the LETTUCE TURNIP THE BEET Mark are arbitrary and fanciful, and entitled to the highest level of protection.

18. LTTB has expended substantial time, effort and money in developing a brand image based on the LETTUCE TURNIP THE BEET Mark. As a result, LTTB has received overwhelming praise for and attention to the goods and services offered under the LETTUCE TURNIP THE BEET Mark.

19. In or about August 2011, LTTB predecessor in interest Gorski began to sell merchandise bearing the LETTUCE TURNIP THE BEET Mark on the following ecommerce websites: Etsy.com (“Etsy”) and Supermarkethq.com (“Supermarket”). The LETTUCE TURNIP THE BEET Mark on a shirt, tote bag, paper goods and the main website is seen below:



20. LTTB markets itself as “Especially popular with vegetarians, vegans, CSA members, Ag students, farmers, chefs, dietitians, juicing fanatics, graphic designers, advertising directors, animators, musical theatre folks, music industry execs, teachers, DJs, dancers, choreographers, yoga enthusiasts, musicians, musical festival attendees, gamers, geeks, hipsters, academics, and beet lovers!”

21. Indeed, the LETTUCE TURNIP THE BEET Mark has been popular in the food, music and art industries. For example, on August 26, 2012, well-known singer-songwriter Jason Mraz wore a t-shirt bearing the LETTUCE TURNIP THE BEET Mark at a concert. A true and accurate screenshot of Jason Mraz wearing the LETTUCE TURNIP THE BEET Mark is depicted below:





22. Similarly, as seen on Madonna's Facebook page, Rich Talauega, choreographer to Madonna and Chris Brown, wears a tank-top bearing the LETTUCE TURNIP THE BEET Mark at a rehearsal for the 2012 Super Bowl half-time show. A true and accurate screenshot of Rich Talauega wearing the LTTB Brand is depicted below:



23. In or about February 2013, *Pregnancy and Newborn* magazine featured LTTB's baby organic bodysuit bearing the LETTUCE TURNIP THE BEET Mark in its magazine as a recommended product.

24. In August 2013, Madison Hildebrand wore a t-shirt bearing the LETTUCE TURNIP THE BEET Mark on *Million Dollar Listing Los Angeles*, a television series on Bravo. A true and accurate screenshot of Madison Hildebrand wearing the LETTUCE TURNIP THE BEET Mark is depicted below:



25. In December 2013, LTTB's LETTUCE TURNIP THE BEET-branded products were featured as a top product in the 2013 Pinterest Holiday Gift Guide on Pinterest.com.

26. In June 2015, *DJ Mag* featured LTTB's shirts bearing the LETTUCE TURNIP THE BEET Mark in its magazine as a recommended product.

27. In July 2015, Carole Radziwill wore a tank top prominently bearing the LETTUCE TURNIP THE BEET Mark on the *Real Housewives of New York (RHONY)*, a television series on Bravo. A true and accurate screen shot of Carole Radziwill wearing the LETTUCE TURNIP THE BEET Mark is depicted below:





Shows ▾

Full Episodes

The Daily Dish



28. As a result of LTTB's efforts, the LETTUCE TURNIP THE BEET Mark has become a social media sensation across the United States and the LETTUCE TURNIP THE BEET Mark has acquired secondary meaning.

29. To date, LTTB has expended tens of thousands of dollars in promoting, advertising and marketing the goods and services offered under the LETTUCE TURNIP THE BEET Mark.

30. Currently, LTTB has more than 14,000 admirers and has sold more than 30,000 items on Etsy. LTTB's customers have given its goods and services a five-star rating, the highest rating available on the Etsy website.

31. LTTB has gone to great lengths to protect and enforce the LETTUCE TURNIP THE BEET Mark.

32. Since 2011, LTTB provided notice that the LETTUCE TURNIP THE BEET design, photos, and text in the online store are copyright protected by using the © or by providing written notification. Between 2012 and 2013, LTTB provided notice that the LETTUCE TURNIP THE BEET Mark was a trademark use by displaying LETTUCE TURNIP THE BEET™ in each online product listing, and/or by providing other written notice that the LETTUCE TURNIP THE

1 BEET Mark is trademark and copyright protected. Since 2013, LTTB has provided notice that the  
2 LETTUCE TURNIP THE BEET Mark is federally-registered by displaying the letter R enclosed  
3 within a circle, thus ®, and/or by providing other written notice that the LETTUCE TURNIP THE  
4 BEET Mark is federally-registered. In addition, Redbubble had actual notice that the LETTUCE  
5 TURNIP THE BEET Mark is federally-registered as a result of the multiple cease and desist  
6 communications sent to Redbubble.

7 REDBUBBLE'S INFRINGING ACTIVITIES

8 33. Through its website, www.redbubble.com, Redbubble operates an online print-on-  
9 demand service through which customers purchase a wide variety of products imprinted with  
10 graphic designs offered on Redbubble's site.

11 34. Third-party users upload images to Redbubble's website, which then displays  
12 products that can be imprinted with uploaded designs. Third-party customers can then order items  
13 bearing the uploaded designs through Redbubble's site.

14 35. Among the products offered on Redbubble's website are those that compete  
15 directly with LTTB, including, without limitation, t-shirts, tote bags, and a wide variety of other  
16 goods.

17 36. On information and belief, Redbubble employs no technology or method to prevent  
18 a customer from uploading or creating a product design that infringes on the intellectual property  
19 rights of third-parties before the campaign is launched and the product is available for purchase on  
20 Redbubble's website.

21 37. The only step Redbubble takes to prevent infringement is through the posting of its  
22 "IP/Publicity Rights Policy" available on its website by clicking a link marked "copyright" in  
23 small print at the bottom of its home page. While Redbubble has eventually responded to some of  
24 LTTB's and/or its predecessor in interest's takedown notices submitted to Redbubble, on  
25 information and belief, Redbubble does not bar repeat infringers from creating campaigns and  
26 selling infringing products on the Redbubble website. Further, on information and belief,  
27 Redbubble has no policy or process in place to pre-screen potential new product designs for  
28

1 infringement of registered trademarks, or to allow trademark owners to block infringing product  
2 designs before campaigns are launched.

3 38. Since May 2013, LTTB's founder and predecessor in interest, Gorski, has sent  
4 repeated demand communications and takedown notices to Redbubble. Despite this, Redbubble  
5 continues to fail to monitor its website and continues to sell and distribute goods that infringe the  
6 LETTUCE TURNIP THE BEET Mark.

7 39. Attached as Exhibit E are 26 pages containing hundreds of infringing goods made  
8 available for sale by Redbubble at various times since May 2013. Attached as Exhibit F are  
9 images of the infringing goods available on Redbubble's website as of January 19, 2018.

10 40. Redbubble's unauthorized use of the LETTUCE TURNIP THE BEET Mark and its  
11 blatant disregard for LTTB's intellectual property rights demonstrate that Redbubble's  
12 infringement of the LETTUCE TURNIP THE BEET Mark is willful.

13 41. Redbubble's actions have caused and/or are likely to cause confusion, mistake, or  
14 deception among the consuming public as to the source, origin or sponsor of the goods offered for  
15 sale on Redbubble's website, and are likely to create the false belief that sales of such goods on  
16 Redbubble's website are authorized by LTTB. As a result, Redbubble's actions are causing, and  
17 unless enjoined, will continue to cause irreparable and substantial injury to the goodwill that  
18 LTTB has developed in its LETTUCE TURNIP THE BEET Mark and brand.

19 42. Redbubble has been unjustly enriched by selling goods bearing counterfeit copies  
20 of the LETTUCE TURNIP THE BEET Mark and its direct and vicarious infringement of the  
21 LETTUCE TURNIP THE BEET Mark.

22 FIRST CLAIM FOR RELIEF

23 (Trademark Counterfeiting)

24 (15 U.S.C. § 1114)

25 43. The allegations of paragraphs 1 through 42 are incorporated herein by reference.

26 44. Redbubble, without authorization from LTTB, has manufactured, distributed and  
27 sold goods that display counterfeits or colorable imitations of LTTB's federally-registered  
28

1 LETTUCE TURNIP THE BEET Mark on goods covered by LTTB's federal registrations for the  
2 LETTUCE TURNIP THE BEET Mark

3 45. Redbubble's actions are intended to cause, have caused and are likely to continue to  
4 cause confusion, mistake and deception among customers and potential customers as to whether  
5 Redbubble's counterfeit goods originate from or are affiliated with, sponsored by, licensed by, or  
6 endorsed by LTTB.

7 46. Redbubble has acted with actual knowledge of LTTB's federally-registered  
8 trademarks and trademark rights and with a deliberate, willful intention to trade upon the customer  
9 goodwill created and enjoyed by LTTB.

10 47. Redbubble's actions constitute trademark counterfeiting in violation of 15 U.S.C.  
11 section 1114.

12 48. The goodwill of LTTB'S LETTUCE TURNIP THE BEET Mark is of enormous  
13 value to LTTB, and LTTB is suffering and will continue to suffer irreparable harm should  
14 Redbubble's unauthorized manufacturing, distribution and sales of counterfeit goods continue.

15 49. Redbubble's use of the LETTUCE TURNIP THE BEET Mark on counterfeit goods  
16 has continued and will continue unless enjoined by this Court.

17 50. Redbubble is liable to LTTB for: (a) statutory damages in the amount of up to  
18 \$2,000,000 for each mark counterfeited as provided by 15 U.S.C. section 1117(c), or, at LTTB's  
19 election, an amount representing three times LTTB's damages and/or Redbubble's illicit profits  
20 (in an amount to be proven at trial); and (b) reasonable attorneys' fees, investigative fees and  
21 prejudgment interest pursuant to 15 U.S.C. section 1117(b).

22 51. LTTB is also entitled to preliminary and permanent injunctive relief against  
23 Redbubble.

24 SECOND CLAIM FOR RELIEF

25 (Trademark Infringement)

26 (15 U.S.C. § 1114)

27 52. The allegations of paragraphs 1 through 42 are incorporated herein by reference.  
28

1           53.     LTTB's LETTUCE TURNIP THE BEET Mark is protected by four valid and  
2 subsisting United States Trademark Registrations.

3           54.     LTTB's registered LETTUCE TURNIP THE BEET Mark has acquired secondary  
4 meaning. Purchasers associate the LETTUCE TURNIP THE BEET Mark only with LTTB's  
5 apparel, merchandise, and online storefront. This is a result of extensive advertising, social media  
6 interest and sales throughout the United States of goods and services bearing the LETTUCE  
7 TURNIP THE BEET Mark.

8           55.     Redbubble, by using the LETTUCE TURNIP THE BEET Mark in connection with  
9 the advertisement, distribution and sale of apparel, merchandise, and its online storefront, have  
10 used and intend to continue to use, in commerce an imitation of the LETTUCE TURNIP THE  
11 BEET Mark in connection with the advertisement, distribution and sale of apparel, merchandise,  
12 and an online storefront in a manner that is likely to cause confusion, mistake or deception.

13           56.     By committing the acts alleged herein, Redbubble has intentionally, knowingly and  
14 willfully infringed the registered LETTUCE TURNIP THE BEET Mark, and Redbubble continues  
15 to do so.

16           57.     Because of Redbubble's infringement, LTTB has been irreparably harmed. LTTB  
17 will continue to suffer irreparable harm unless Redbubble is preliminarily and permanently  
18 restrained from infringing the LETTUCE TURNIP THE BEET Mark.

19           58.     LTTB is entitled to recover all profits heretofore realized by Redbubble during its  
20 infringement of the LETTUCE TURNIP THE BEET Mark, as well as LTTB's costs in this action  
21 pursuant to 15 U.S.C. section 1117(a).

22           59.     Redbubble's actions have been willful, malicious and fraudulent with knowledge of  
23 the likelihood of confusion and deception and with intent to confuse and deceive, as alleged  
24 above. Therefore, LTTB is entitled to recover three times the amount of Redbubble's profits plus  
25 LTTB's reasonable attorneys' fees pursuant to 15 U.S.C. section 1117(b).

26                               THIRD CLAIM FOR RELIEF

27                               (Unfair Competition and False Designation of Origin)



(15 U.S.C. § 1125(a))

60. The allegations of paragraphs 1 through 42 are incorporated herein by reference.

61. LTTB, for many years and long prior to the acts of Redbubble herein complained of, has marketed its goods and online storefront under the LETTUCE TURNIP THE BEET Mark.

62. Redbubble has copied LTTB's LETTUCE TURNIP THE BEET Mark. As a result, Redbubble's marketing and sale of apparel and merchandise, and/or its online storefront under the LETTUCE TURNIP THE BEET Mark is likely to deceive and cause confusion to the purchasing public and to induce them to believe that Redbubble or its goods or services are in some manner related to, approved by or sponsored by LTTB; alternatively, Redbubble's marketing and sale of apparel and merchandise, and/or its online storefront under the LETTUCE TURNIP THE BEET Mark is likely to deceive and cause confusion to the purchasing public and to induce them to believe that LTTB's goods or services are in some manner related to, approved by or sponsored by Redbubble. Redbubble has intentionally engaged in conduct that constitutes a false designation of origin, a false or misleading description of fact, and a false or misleading representation of fact tending wrongfully and falsely to describe or represent a connection or affiliation between LTTB's goods and services and Redbubble's goods and services in violation of 15 U.S.C. section 1125(a). LTTB believes that customers are likely to be confused by Redbubble's use of such false designations of origin, and false descriptions or representations regarding LTTB's goods and Redbubble's goods.

63. By committing the acts alleged herein, Redbubble has intentionally, knowingly and willfully infringed the LTTB's mark, and Redbubble continues to do so.

64. Because of Redbubble's infringement, LTTB has been irreparably harmed. LTTB will continue to suffer irreparable harm unless Redbubble is preliminarily and permanently restrained from infringing the LETTUCE TURNIP THE BEET Mark.

65. LTTB is entitled to recover all profits heretofore realized by Redbubble during its infringement of the LETTUCE TURNIP THE BEET Mark, as well as LTTB's costs in this action pursuant to 15 U.S.C. section 1117(a).

66. Redbubble's actions have been willful, malicious and fraudulent with knowledge of the likelihood of confusion and deception and with intent to confuse and deceive, as alleged above. Therefore, LTTB is entitled to recover three times the amount of Redbubble's profits plus LTTB's reasonable attorneys' fees pursuant to 15 U.S.C. section 1117(b).

#### FOURTH CLAIM FOR RELIEF

(Contributory Trademark Infringement)

(15 U.S.C. §§ 1114 & 1125(a))

67. The allegations of paragraphs 1 through 42 are incorporated herein by reference.

68. Redbubble manufactures, distributes, advertises, and sells infringing and counterfeit goods created by unnamed third parties.

69. In view of the numerous notices provided to Redbubble by LTTB, Redbubble knows that its customers are creating infringing and counterfeit goods which Redbubble is manufacturing, distributing, advertising, and selling.

70. Redbubble is liable for contributory trademark infringement through its actions manufacturing, distributing, advertising, and selling products that it knows bear infringing and counterfeit goods, and through its refusal to deny access to its website to such serial infringers and counterfeiters despite repeated notice.

## PRAAYER FOR RELIEF

WHEREFORE, LTTB prays that this Court enter judgment in its favor on each and every claim for relief set forth above and award it relief including, but not limited to, the following:

1. That Redbubble be adjudged to have manufactured, distributed, advertised, and sold goods infringing the registered LETTUCE TURNIP THE BEET Mark, in violation of federal law;

2. That all goods, documents, advertising, packaging and any other materials infringing the LETTUCE TURNIP THE BEET Mark in the possession, custody or control of Redbubble be seized;

1           3.       That Redbubble be adjudged to have willfully and deliberately infringed the  
2 registered LETTUCE TURNIP THE BEET Mark, in violation of federal law;

3           4.       That Redbubble be adjudged to have competed unfairly with LTTB by its  
4 infringing use of the LETTUCE TURNIP THE BEET Mark, in violation of federal law;

5           5.       That Redbubble and its officers, agents, owners, employees, confederates, attorneys  
6 and any persons in active concert or participation with them be temporarily, preliminarily and  
7 permanently enjoined and restrained from:

8               a)       Using the LETTUCE TURNIP THE BEET Mark, or any other confusingly  
9 similar mark including, without limitation, LETTUCE TURNIP THE BEET, and/or any  
10 reproduction, copy or colorable imitation of said mark, in connection with the advertising,  
11 manufacturing, offering for sale, distribution or sale of apparel or any other goods or  
12 services that are not authorized by LTTB;

13              b)       Using the LETTUCE TURNIP THE BEET Mark or any other confusingly  
14 similar mark including, without limitation, LETTUCE TURNIP THE BEET, and/or any  
15 other mark including any reproduction, copy or colorable imitation of said mark on goods  
16 or in its online storefront in any manner likely to cause others to believe that any of  
17 Redbubble's goods or services are made by, distributed by, associated or connected with  
18 LTTB's goods or services;

19              c)       Committing any other acts calculated to cause actual or potential purchasers  
20 to be confused regarding the source or sponsor of Redbubble's and/or LTTB's goods  
21 and/or services; and

22              d)       Assisting, aiding or abetting any supplier, distributor or any other person or  
23 business entity in engaging in or performing any of the activities referred to in the above  
24 subparagraphs a through d;

25           6.       That Redbubble be ordered to deliver to LTTB all materials that infringe LTTB's  
26 LETTUCE TURNIP THE BEET Mark;

27           7.       That Redbubble be ordered to advise LTTB of the identity of all customers,  
28

1 suppliers, distributors and manufacturers of Redbubble's goods that infringe LTTB's LETTUCE  
2 TURNIP THE BEET Mark;

3 8. That Redbubble be ordered to advise all customers, suppliers, distributors and  
4 manufacturers that Redbubble's goods or services infringing the LETTUCE TURNIP THE BEET  
5 Mark were not manufactured, licensed, authorized or distributed by LTTB, and that any such  
6 goods sold or distributed by Redbubble may be returned to Redbubble in any condition for a full  
7 refund, and that Redbubble shall make such refund and maintain all records relating to such recall  
8 notices and refunds;

9 9. That Redbubble be required to pay to LTTB such damages LTTB has sustained as  
10 a consequence of its counterfeiting and infringement of the LETTUCE TURNIP THE BEET Mark  
11 and to account for all gains, profits and advantages derived by Redbubble from the sale of its  
12 infringing merchandise bearing the LETTUCE TURNIP THE BEET Mark, and that the award to  
13 LTTB be trebled as provided for under 15 U.S.C. section 1117; alternatively, that LTTB be  
14 awarded statutory damages pursuant to 15 U.S.C. section 1117(c) of up to \$2,000,000 for each  
15 trademark that Redbubble has willfully counterfeited and infringed;

16 10. For an award of three times the amount of Redbubble's profits and LTTB's  
17 reasonable attorneys' fees pursuant to 15 U.S.C. section 1117(b);

18 11. For an award of compensatory damages;

19 12. For an award of punitive damages;

20 13. For an award of costs; and

21 14. For all other relief the Court deems just and proper.

22  
23 Dated: January 23, 2018

SKAGGS FAUCETTE LLP

24 By: /s/  
25 Jeffrey E. Faucette  
26 Attorneys for Plaintiff LTTB LLC  
27  
28

Pursuant to Rule 38(a) of the Federal Rules of Civil Procedure, Plaintiff demands trial by jury of all issues properly triable of right by a jury.

SKAGGS FAUCETTE LLP

By: \_\_\_\_\_ /s/  
Jeffrey E. Faucette  
Attorneys for Plaintiff LTTB LLC